

# HOUSE BILL 862

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By: **Delegate Hubbard**

Introduced and read first time: February 10, 2010

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Statewide Advisory Commission on Immunizations – Membership and Sunset**  
3 **Repeal**

4 FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in  
5 consultation with Med Chi, the Maryland State Medical Society, to appoint the  
6 chair of the Statewide Advisory Commission on Immunizations; establishing the  
7 terms of the members of the Commission; repealing a provision that requires  
8 the Commission to study and make recommendations about immunizations  
9 required by children entering schools in times of vaccine shortage; requiring the  
10 Commission to study and make recommendations about a public campaign in  
11 the event of a public health emergency involving immunizations; making  
12 certain technical corrections; repealing a certain termination provision; and  
13 generally relating to the Statewide Advisory Commission on Immunizations.

14 BY repealing and reenacting, with amendments,  
15 Article – Health – General  
16 Section 18–214  
17 Annotated Code of Maryland  
18 (2009 Replacement Volume)

19 BY repealing and reenacting, with amendments,

20 Chapter 337 of the Acts of the General Assembly of 2002, as amended by  
21 Chapter 200 of the Acts of the General Assembly of 2005 and Chapter 504  
22 of the Acts of the General Assembly of 2007  
23 Section 2

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article – Health – General**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 18–214.

2 (a) In this section, “vaccine” means a product intended to elicit, in humans,  
3 active or passive immunity against an infectious agent or product of an infectious  
4 agent.

5 (b) There is a Statewide Advisory Commission on Immunizations.

6 (c) The Commission consists of at least the following members:

7 (1) One physician member of [the Medical and Chirurgical Faculty  
8 Public Health Council] **MED CHI, THE MARYLAND STATE MEDICAL SOCIETY;**

9 (2) The chairperson of the Maryland Childhood Immunization  
10 Partnership;

11 (3) Two physician members of the Maryland Chapter of the American  
12 Academy of Pediatrics with experience in private practice and infectious diseases;

13 (4) One physician member of the Maryland Academy of Family  
14 Physicians;

15 (5) One physician member of the American College of Physicians –  
16 Internal Medicine Society of Maryland;

17 (6) The executive director of the Maryland Partnership for Prevention;

18 (7) One local health officer;

19 (8) One representative from the Department’s Vaccines for Children  
20 Program;

21 (9) One representative of the Maryland school system with knowledge  
22 of the immunizations required of children entering schools;

23 (10) The Maryland State Epidemiologist;

24 (11) One representative from a public health consumer advocacy group;

25 (12) One nurse practitioner; and

26 (13) One representative from a health insurance carrier.

27 (d) The Secretary of the Department of Health and Mental Hygiene shall  
28 appoint the membership of the Commission, based on the recommendation of the  
29 appropriate medical society or agency.

1 (e) (1) The [physician member of the Medical and Chirurgical Faculty  
2 Public Health Council] **SECRETARY OF HEALTH AND MENTAL HYGIENE, IN**  
3 **CONSULTATION WITH MED CHI, THE MARYLAND STATE MEDICAL SOCIETY,**  
4 shall[:

5 (1) Chair] **APPOINT THE CHAIR OF** the Commission[;].

6 (2) **THE CHAIR OF THE COMMISSION SHALL:**

7 (I) Establish subcommittees to facilitate the work of the  
8 Commission; and

9 [(3)] (II) Appoint subcommittee chairs from among the Commission  
10 members.

11 (F) (1) **THE TERM OF A MEMBER IS 3 YEARS.**

12 (2) **A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**  
13 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**  
14 **APPOINTED AND QUALIFIES.**

15 (3) **AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**  
16 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

17 (4) **A MEMBER MAY BE APPOINTED FOR MORE THAN ONE TERM.**

18 [(f)] (G) A member of the Commission may not receive compensation but is  
19 entitled to reimbursement for expenses under the Standard State Travel Regulations,  
20 as provided in the State budget.

21 [(g)] (H) The Department of Health and Mental Hygiene shall provide the  
22 staffing for the Commission.

23 [(h)] (I) The Commission shall:

24 (1) Determine where community vaccine shortages exist and which  
25 vaccines are in short supply;

26 (2) Develop a recommendation for a plan to effectuate the equitable  
27 distribution of vaccines; and

28 (3) Study and make recommendations about other related issues as  
29 determined by the Commission, including but not limited to:

1 (i) Immunizations required of children entering schools [in  
2 times of vaccine shortage];

3 (ii) All available options for the purchasing of vaccines,  
4 including the development of a Universal Vaccine Purchasing System, or a similar  
5 program to increase access to necessary vaccines, for the State;

6 (iii) An update on the status of the use of thimerosal in vaccines,  
7 including the availability and affordability of thimerosal-free vaccines, and any other  
8 issue related to the use of thimerosal in vaccines that is identified by the Commission;

9 (iv) Elimination of any vaccine distribution disparities;

10 (v) A public education campaign in the event of a vaccine  
11 shortage **OR PUBLIC HEALTH EMERGENCY INVOLVING IMMUNIZATIONS**;

12 (vi) The availability and affordability of adult and childhood  
13 vaccines; and

14 (vii) Strategies to increase immunizations among those adults  
15 and children recommended to receive immunizations, including catch-up  
16 immunizations.

17 **[(i)] (J)** On or before December 15 of each year, the Commission shall  
18 submit a report on its findings and recommendations to the Governor and, in  
19 accordance with § 2-1246 of the State Government Article, to the Senate Education,  
20 Health, and Environmental Affairs Committee and the House Health and Government  
21 Operations Committee.

22 **Chapter 337 of the Acts of 2002, as amended by Chapter 200 of the Acts of**  
23 **2005 and Chapter 504 of the Acts of 2007**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 June 1, 2002. [It shall remain effective for a period of 8 years and, at the end of May  
26 31, 2010, with no further action required by the General Assembly, this Act shall be  
27 abrogated and of no further force and effect.]

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 June 1, 2010.